

ORDINANCE NO. 024-76

AN ORDINANCE AUTHORIZING  
THE ASSIGNMENT OF A  
CONTRACT WITH PROTERRA,  
INC. FOR ELECTRIC BUSES  
AND CHARGING STATIONS TO  
PHOENIX CARS, LLC

WHEREAS, The Chicago Transit Authority ("Authority") desires to purchase electric buses, charging stations, and associated spare parts; and

WHEREAS, On July 18, 2018, the Authority entered into a contract with Proterra, Inc. ("Proterra") under Requisition No. C17FT101878289 for the manufacture and delivery of twenty (20) low-floor, forty-foot, all-electric buses and associated spare parts with an option for twenty-five (25) additional electric buses, along with the design-build and installation of five (5) en-route charging stations and associated spare parts, with an option for eight (8) additional charging stations; and

WHEREAS, The Authority previously exercised an option to purchase three (3) additional electric buses, per Change Order No. 4 as authorized by Ordinance No. 022-32, and exercised its option to purchase twenty-two (22) additional electric buses, per Change Order No. 6 as authorized by Ordinance No. 023-64; and

WHEREAS, Proterra filed for Chapter 11 bankruptcy protection, which resulted in the sale of the transit division of its business to Phoenix Cars, LLC ("Phoenix"), and the sale was finalized on January 11, 2024; and

WHEREAS, Phoenix has agreed to assume Proterra's obligations under the contract, including all service and bond obligations, the pricing of the existing contract, and the other terms and conditions including Disadvantaged Business Enterprise (DBE) participation; and

WHEREAS, Staff recommends approval of the assignment of the contract with Proterra for electric buses and charging stations to Phoenix; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD  
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chicago Transit Board hereby authorizes the assignment of the Authority's contract with Proterra, Inc. for electric buses and charging stations to Phoenix Cars, LLC.

SECTION 2. The Chairman of the Chicago Transit Board, the President of the Authority, and the Vice President of Purchasing and Supply Chain, or their designees,

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are hereby authorized to execute an assignment of the Authority's contract with Proterra, Inc. for electric buses and charging stations to Phoenix Cars, LLC.

SECTION 3. The Chairman, President, and Vice President of Purchasing and Supply Chain, or their designees, are further authorized to take such actions and execute such documents as may be necessary to implement the objectives of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

June 25, 2024

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Secretary

June 25, 2024